

MELINDA HAAG (CSBN 132612)
 United States Attorney

J. DOUGLAS WILSON (DCBN 412811)
 Chief, Criminal Division

ADAM A. REEVES (NYBN 2363877)
 Assistant United States Attorney

450 Golden Gate Avenue; Box 36055
 San Francisco, CA 94102
 Telephone: (415) 436-7157
 Facsimile: (415) 436-7234

Attorneys for United States of America

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 11-0939 RS
)	
Plaintiff,)	PROPOSED ORDER AND STIPULATION
)	EXCLUDING TIME FROM AUGUST 20,
v.)	2013, TO DECEMBER 10, 2013, FROM
)	THE SPEEDY TRIAL ACT CALCULATION
CRAIG OGANS,)	AND SCHEDULING STIPULATED FACTS
)	BENCH TRIAL
Defendant.)	

The parties appeared before the Court on August 20, 2013, and again on August 27, 2013.

The Court enters this Order scheduling the submission of stipulated facts, a stipulated facts bench trial, and documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from August 20, 2013, to and including December 10, 2013. The parties agreed, and the Court found and held, as follows:

1. The parties will submit stipulated facts to the Court by November 18, 2013.
2. The Court will hold a stipulated facts bench trial on December 10, 2013, at 2:30 p.m.
3. Time will be excluded from August 20, 2013, to and including December 10, 2013, for the following reasons and those stated on the record on August 20 and August 27: (a)

STIPULATION AND ORDER
 CR 11-0939 RS

1 failure to grant the requested continuance would unreasonably deny government and defense
 2 counsel reasonable time necessary for effective preparation, taking into account the exercise of
 3 due diligence and the need for the parties to draft stipulated facts, and would deny the
 4 government continuity of counsel in light of government counsel's trial schedule in August and
 5 September (18 U.S.C. § 3161(h)(7)(B)(iv)); and (b) after the parties submit the stipulated facts to
 6 the Court, time is properly excluded under 18 U.S.C. § 3161(h)(1)(H) ("delay reasonably
 7 attributable to any period, not to exceed thirty days, during which any proceeding concerning the
 8 defendant is actually under advisement by the court.").

9 4. Accordingly, the Court found that the ends of justice served by excluding the period
 10 from August 20, 2013, to December 10, 2013, outweigh the best interest of the public and the
 11 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

12 5. Therefore, and with the consent of the defendant and his attorney, the Court ordered
 13 that the period from August 20, 2013, to and including December 10, 2013, be excluded from
 14 Speedy Trial Act calculations.

15 IT IS SO STIPULATED.

16 //

17 DATED: August 27, 2013

/s/
 ADAM A. REEVES
 Assistant United States Attorney

20 DATED: August 27, 2013

/s/
 RICHARD TAMOR
 Attorney for Defendant, Craig Ogans

23 IT IS SO ORDERED.

25 DATED: August 27, 2013


 HONORABLE RICHARD SEEBORG
 United States District Court Judge